

The Human Services Department (the Department), Medical Assistance Division (MAD) previously published in the May 29, 2015 New Mexico Register Volume XXVI, Number 10 the Notice of Rulemaking for amending 8.281.500 and 8.200.430 New Mexico Administrative Code (NMAC) rules. The Department will be withdrawing this Notice of Rulemaking. The Department has filed a new Notice of Rulemaking for 8.281.500 NMAC and is now accepting comments through July 16, 2015. The Department has elected to not re-file a Notice of Rulemaking for 8.200.430 NMAC at this time.

The register and amendments to this rule will be available June 16, 2015 on the HSD website:

<http://www.hsd.state.nm.us/LookingForInformation/registers.aspx> or

<http://www.hsd.state.nm.us/public-notice-proposed-rule-and-waiver-changes-and-opportunities-to-comment.aspx> If you do not have internet access, a copy of the proposed register and rule may be

requested by contacting MAD at 505-827-7743 or at 888-997-2583 asking for extension 7-7743.

The Department is taking this opportunity to amend 8.281.500 NMAC to implement the Qualified State Long Term Care Insurance Partnership Program, to define who may be recognized as a spouse, and to update and standardize language.

Highlights:

Section 7-the proposed amendment adds definitions for asset limits, long term care insurance policy, protected asset limits, the Qualified State Long Term Care Partnership Program, and defines who is recognized as a spouse.

Section 13-the proposed amendment adds detailed instruction to implement the Qualified State Long Term Care Insurance Partnership Program.

Section 14-the proposed amendment adds instructions on asset transfers under the Qualified State Long Term Care Insurance Program.

Section 16-the proposed amendment adds instruction as to how to determine the resource assessments when an eligible recipient has a policy for the Qualified State Long Term Care Insurance Partnership Program.

Section 23-the proposed amendment adds instructions on determining deductions of premiums for the Qualified State Long Term Care Insurance Partnership policies in the medical care credit calculation. The amendment allows a deduction for the full amount of court ordered child or spousal support.

The Department proposes to have 8.281.500 NMAC effective August 14, 2015. A public hearing to receive testimony on these proposed amendments will be held in Hearing Room One, Toney Anaya Building, 2550 Cerrillos Road, Santa Fe, New Mexico on July 16, 2015 at 10 a.m. Mountain Daylight Time (MDT).

Interested persons may address written comments to Human Services Department, Office of the Secretary, ATTN: Medical Assistance Division-Public Comments, P.O. Box 2348, Santa Fe, New Mexico 87504-2348.

Recorded comments may be left at (505) 827-1337. Interested persons may also address comments via electronic mail to: madrules@state.nm.us. Written mail, electronic mail and recorded comments must be received no later than 5 p.m. MDT on July 16, 2015. Written and recorded comments will be given the same consideration as oral testimony made at the public hearing.

If you are a person with a disability and you require this information in an alternative format or require a special accommodation to participate in the public hearing, please contact the Medical Assistance Division toll free at 1-888-997-2583 and ask for extension 7-7743. In Santa Fe call 827-7743. The Department's TDD system may be accessed toll-free at 1-800-659-8331 or in Santa Fe by calling 827-3184. The Department requests at least 10 working days advance notice to provide requested alternative formats and special accommodations.

Copies of all comments will be made available upon request by providing either copies directly to a requestor or by making them available on the Department's website or at a location within the county of the requestor.